

DEC 29 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)

ZELMAN, GARY MARTIN)

Examiner: Mai, Huy K.)

Serial Number: 10/763,967)

Art Unit: 2873)

Filed: 01/22/04)

Att. Docket No.: R04-09-4078)

Title: Auxiliary Eyewear)
Attachment Methods and)
Apparatus)**Certificate of Facsimile Transmission (37 CFR 1.8)**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306, on December 29, 2004.

By: 

David Kogan (50,868)

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION**DATED 10/29/04**Mail Stop RCE
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Sir/Madam:

This response is made within two months of the Final Office Action dated 10/29/04. The following submission presents amendments and arguments in support of patentability and is intended to place this application in condition for allowance.

Please amend claims 15-28 as follows: